

# THE STAR GROCERY.

POPULAR GOODS,  
POPULAR PRICES,  
POPULAR METHODS

have achieved the greatest success in the history of the retail grocery trade. Ready to promptly and correctly fill any order that is intrusted to us, there is no risk in dealing here. Our guarantee backs every article, and you can always have your money back for the asking. A trial order solicited. We'll make it pay you so well that you'll be a regular customer hereafter.

20 lbs. finest Granulated Sugar.....	\$1 00
30 lbs. Sugar.....	1 00
2 doz. fresh country Eggs.....	15
1 lb. fresh country Butter.....	15
No. 1 sugar cured Hams, per lb.....	12
Best Breakfast Bacon, per lb.....	12
California Hams, per lb.....	9
4 lbs. White Lard.....	25
3 lbs. Japan Tea Siftings.....	25
Good Blended Tea, per lb.....	25
7 lbs. Navy Beans.....	25
5 lbs. Lima Beans.....	25
6 cans Oil Sardines.....	25
Potted Ham and Tongue.....	5
5 packages Scotch Oats.....	5
Pettijohn's Breakfast Food.....	10
3 cans Salmon.....	25
4 cans Vintor corn.....	25
Arbuckle's Coffee, package.....	25
2 cans Cal. Table Peaches.....	25
Soda Crackers, per lb.....	5
Soda Crackers, by box, lb.....	4
3 packages Macaroni.....	25
1 gal. Sugar Syrup.....	30
2 lbs. Cream Cheese.....	30
1 can best Sliced Pineapple.....	10
7 bars White Russian Soap.....	25
8 bars White Spanish soap.....	25
Myers' Flour Sifters.....	10
New Potatoes, bu.....	45
Royal or Price Baking Powder lb.....	40
Pail Sugar Syrup.....	40
7 lbs. Lump Starch.....	25
10 lbs. Sal Soda.....	25
5 packages cleaned Currants.....	25
1 lb. Shredded Coconut.....	15
Root Beer, per package.....	10
Good Brooms.....	10
5 lbs. Carolina Rice.....	25
2 lbs. Ginger Snaps.....	25
4 cans Oysters.....	25

## MASON'S

Self Sealing Jars,  
(BY DOZEN.)

Pints.....	50c
Quarts.....	60c
Half Gallons.....	75c

We are handling large quantities of Fresh Fruits and Vegetables. It will pay you to get our prices.

Flour! Flour!

We have all kinds and selling at cut prices.

GOODS PACKED

AND DELIVERED TO  
DEPOTS FREE.

J. S. SPROAT,  
THE STAR GROCER,

112 E. 6TH ST.

TELE. 252.

## TOPEKA LOSES IT.

The Sewer Case Decided Against the City.

THE VERDICT AWARDS \$73,500

To the Plaintiff—City Attorney Tillotson Makes Sensational Charge Against Banker Manley of Lawrence.

The jury in the case of the Kansas National bank against the city of Topeka, better known as the Decker, Mullins & Berry case, returned a verdict against the city at 7:45 last evening at Lawrence, after being out more than four days.

The verdict awards the plaintiffs \$73,500, of which only about \$5,000 goes to the sewer contractors, not enough to meet their outstanding liabilities. The remainder is a judgment on a loan of \$68,000 made by the Kansas National bank to Decker, Mullins & Berry, with interest at 6 per cent for five years. As security for this loan the contractors had assigned to the bank the payments on their contract as they should fall due, and it was to collect this that the case was brought in the name of the bank.

A series of about seventy-five questions were given to the jury to answer. All but a dozen of the questions were answered. City Attorney Tillotson moved that the jury be sent back to answer the remainder of the questions, but the motion was overruled.

Mr. Tillotson came up from Lawrence last night, while his associate in the case, S. B. Leubart, has been busy since Sunday. Both of them favor appealing the case to the supreme court. Mr. Tillotson says: "We are far from satisfied with the verdict and unless our motion for a new trial is sustained we will appeal the case to the supreme court."

"At the February trial of the case the jury returned a verdict for \$32,000, which is about what we are willing to pay. This judgment would have stood if one of the jurors had not been tampered with. I have known right along that one of them was 'fixed,' but I only got it yesterday in such a way that I am not under any obligations to keep it quiet. I have proof of what I claim, and will take the responsibility of its publication. The juror was M. G. Manley, the Lawrence banker. The night after the jury had agreed on a \$32,000 verdict a man went to Manley, and induced him to change his vote in the jury room. He went before the jury the next morning and declared that a \$32,000 verdict was unjust because the city was willing to compromise for \$73,500 and had repeatedly offered to do so. The result was that he upset the whole thing and a hung jury was the result."

"I will send down by this afternoon's mail the papers in my motion for a new trial. The arguments on the motion will be made Friday. Judge Benson has been exceedingly fair and impartial in the trial but of course we think he was wrong in some of the things he said in his charge to the jury. And the skillful way in which the jury ignored the evidence in the case was remarkable. If we appeal the case to the supreme court we would expect to have it sent back to a district court for trial with some law on the subject that the jury would be bound to take into consideration."

J. D. McFarland, one of the bank's attorneys in the case is of course well satisfied with the verdict and says he got all he asked for. A. Washburn, cashier of the Kansas National bank had up to noon received no official notice of the finding.

The costs in the case already amount to more than thousands of dollars that could be counted on one hand.

While the plaintiff, the bank, is satisfied with the findings, the contractors and the city are not. The whole amount of the suit was for \$219,000—the bank claimed \$65,000 and got it. The contractors claimed \$151,000 and have been awarded about \$5,000.

In regard to a new trial or a settlement of the case there is a division of opinion among the councilmen and city officials. Some of them believe that the city will never get a verdict less exacting; others believe that the city can reduce the amount. The facts are that while it is alleged by some that the city would owe the contractors nothing had they completed the sewers, it is also admitted that the city council a year ago generally favored a settlement on a basis of paying about \$40,000, but was prevailed upon to try to do better. It is safe to say that had the verdict been at this figure the case would have been ended.

Those who favor a settlement on the basis of the present findings claim that out of thirty-six jurors in the three cases, all but five favored large damages against the city. The plaintiffs say they know that in the first case ten jurors favored a finding of \$140,000 and two about \$95,000, and that in the second trial nine jurors favored a finding of \$135,000. The city must now decide whether it will risk additional costs and another verdict.

**A History of the Case.**  
The case is one in which the city was sued for \$219,000. In 1888 the city council let a contract for the construction of sewers No. 11 and No. 12 to the firm of Decker, Mullins & Berry of Kansas City. Mr. Leubart and those who sided with the city in the case claim that the contractors were "a lot of Missouri sharpers who came to Topeka with the avowed intention of skinning the city of Topeka," but the verdict shows that the jury thought otherwise and that they had a case. At any rate the contractors and the city officers were at war almost from the start. D. C. Metcalf was mayor and George T. Neely was city engineer. The sewer contractors say that Neely acted unfairly; that he changed the depth of the sewer and caused them great delay and inconvenience in condemning material. On the other hand Neely and some of the councilmen thought the work of Decker, Mullins & Berry was defective, and that they failed to meet the terms of their contract. The Kansas National bank became involved in the trouble by advancing to the contractors something over \$50,000 which they failed to get back.

This was the third trial of the case, and the only one in which a verdict was secured. At each previous trial of the case the jury became lost in the meshes of expert engineering testimony, and so entangled in the technical legal points

NOT A DOLLAR'S WORTH TO CARRY OVER!  
Prices that would seem neither plausible or possible, were it not for our sincere effort to clean up stock in all its branches. It needs only investigation to bring conviction.

617  
Kans.  
Ave.

# S. Darnum & Co.

619  
Kans.  
Ave.

617-619 KANSAS AVENUE.

Boys' Striped Summer Coats, sizes 14, 15, 16 and 17 only, were 50c  
Are ..... **19c**

Boys' Fine Mohair and Flannel Thin Coats and Vests, sizes 12 to 17, were \$3.50 and 4,  
Cut to ..... **\$1.98**

Gents' Silk Embroidered Night Robes, thoroughly made, \$1 quality,  
Cut to ..... **65c**

Laundried Colored Shirts with attached and separate collars  
Were \$1, now ..... **\$ .75**  
Were \$1.25 and 1.50,  
now ..... **95**  
Were \$1.75, now ..... **1 15**  
See window display.

Men's Thin Coats and Vests of grey and brown Mohair. Price  
was \$3.50, now **\$1.98**

Finest all wool Cassimere Flannel and Cheviot Coats and Vests, were  
\$6.50, now ..... **\$4.48**

Boys' Grey Mixed Gauze Underwear, was 40c,  
Now ..... **23c**

This comes very close to selling goods at ONE-HALF the regular legitimate prices prevailing everywhere. Can you exchange your dollars for better value?

Gents' Spring Suits that were \$13.50, 15, **\$9.88** and 18, now...

No need to tell a long tale. Look in our window and decide for yourself if this is moral, an assertion or the lowest price ever put upon suits of such quality and merit.

Straw Hats of all kinds at figures down beneath manufacturing cost. Dress Straw Hats for men from 39c up.

Gents' Fancy Figured Duck Vests, splendid quality, make and style, were \$1.25 and 1.50. We expect them to go quick at the new price... **50c**

Gents' Bleached Drill Drawers, excellent make, were 40c,  
Now ..... **25**

Gents' Egyptian Cotton Underwear, silk finish and worth 75c,  
Now ..... **48c**

Boys' Outing Shirts were 35, now ..... **19c**  
Men's Outing Shirts were 50c, now ..... **29c**

Choice of one lot Fine Folding Fans, both in gauze and China silk, plain and decorated. Prices were \$1.25 and 1.50,  
Now ..... **88c**

Two thousand yards best quality Shirting Prints, worth 64c,  
Now ..... **4c**

6-4 Chenille Table covers actual worth, \$1.75,  
Now ..... **\$1**

All wool French Chillies, handsomest patterns in both light and dark grounds, worth 65c,  
Now ..... **35c**

Ladies' colored Silk Mitts cardinal, tan, navy and grey. The 30c quality at **19c**  
The 55c quality at **35c**

Finest Quality Printed Serpentine Crepes, were 25c, now ..... **15c**

12½c, 15c and 16½c laces, dow **10c**.  
20c and 25c laces now **15c**.  
25c and 35c laces now **20c**.  
Comprising some of the choicest Laces in our stock, that we are sure to close out.

Princess Duck worth 15c, Pongees worth 15c, Vigilant Cloth worth 15c, Dimities worth 15c, Lawns worth 15c, Satines worth 15c, Zephyr Lains worth 15c, all these in light grounds only and comprising the balance of our entire stock will go **10c A YARD**

If you wish the benefit of this offer selection must be made early.

Wide butter colored laces in Valenciennes, Oriental, Irish Point and others, sold at 50c, now **30c YD.**

Look on these prices on Ladies' White India Linon Waists: \$1.50 and 1.75 kind down to 95c.  
\$2.20 and 2.50 kind now **\$1.23**.

Some with cascade points, some in fine pleats, some in white, others in colored embroidery, but all of them alike in the one particular, that they are a **GREAT BARGAIN.**

## PETTY BURGLARIES.

The Thieves Continue Their Raids on Private Houses.

Since the epidemic of theft began Saturday the police have been kept busy with complaints. All day yesterday reports of thefts poured in. All the principal ones were reported in yesterday's JOURNAL. Among the smaller ones were these: Seybold Bros. lost a pair of trousers and a towel; Dennis' tailor shop, two pairs of trousers; L. W. Moore's shoe store at 718 Quincy, several pairs of shoes; the Baptist church at the corner of Ninth and Jackson, lost a pair of rubber boots that belonged to the pastor. B. Elder's barber shop on North Kansas avenue lost two pairs of clippers and two razors; G. R. Millicie also lost a dollar and a bunch of keys.

J. M. Patten's residence at 1271 Western avenue, was also entered, but nothing of value taken. The men who entered it were captured and tried in police court this morning, their names being John Vevey and Wm. Oliver. Oliver was fined \$5; Vevey was discharged.

At the residence of Vincent Coggins, a Santa Fe engineer, the thief got a \$75 gold watch and \$5 in money. The thieves were at work again last night, and two residences on South Moore street were entered.

At 11:23 the residence of F. McCaslin was entered through a rear screen, and his clothes thrown into the yard after they had been rifled of about eleven dollars in money.

The home of Robert Dietrich at 1118 Monroe was also entered, the thief cutting out two screens on the south side of the house. Mr. Dietrich's room was first entered and he lost a dollar in money. The thief then entered the room of Miss Ethel Wood, Mr. Dietrich's niece, but her screams frightened him away. Miss Wood declares she saw the man plainly, there being light burning in the room at the time. He wore a dark coat, buttoned close to his chin, a little round hat and smooth faced.

## A BIG LODGE NOW.

Two Large Local Orders Consolidated.

Shawnee lodge No. 244 A. O. U. W. and Upchurch lodge No. 180 have been consolidated into one to be known as Upchurch lodge No. 244—one retaining its name the other its number. The membership of the new organization is now 529. This is the largest lodge of the United Workmen in Kansas with the exception of Capital lodge which has 648 members.

**Populists Get a Convert.**  
The latest convert to the People's party from Republicanism is John McLucas, of Rock township, Jefferson county. Mr. McLucas attended both the Republican and Populist conventions and he says no one but a banker or a lawyer had any show in the Republican convention, and for that reason he will hereafter vote the Populist ticket. McLucas was a Hoch man and is credited with carrying Rock township for Hoch.

**Born**  
To Mr. and Mrs. D. F. Mallory, 1332 Van Buren street, on Monday, a son.

Prescott & Co. will remove to No. 118 West Eighth this morning.

## SNAP SHOTS AT HOME NEWS.

The bridge across the Kansas river needs a new floor.

The Populists held no meeting at their league rooms last night.

The Parkdale Methodist Sunday school will picnic at Vinewood Friday.

Why is it that burglaries and moonlight nights always come together?

Will Northway run a nail in his foot at Garfield park last Sunday afternoon.

Arthur Massey's running horse won \$1,500 in a race at Kansas City last Saturday.

Many a man in Topeka slept with one eye open last night expecting to see burglars.

The burglaries in Topeka appear to be the work of local talent, without much talent.

The vein of coal mined west of town near the Sixth street road is twelve inches thick.

The street commissioner's force worked yesterday cleaning the brick and block pavements.

There is a "museum of anatomy" in town, "for men only," it says, but it means suckers.

The foundation for the addition to the Parkhurst, Davis & Co., building, is almost completed.

Over two inches of water fell in the vicinity of Topeka Saturday night and Sunday morning.

The jury in the Decker, Mullins & Berry sewer case at Lawrence was out 4 days and 4½ hours.

The next time the A. R. U. strikes it ought to steal a march by donning the little American flag first.

United States Attorney Perry and his family will soon leave for Block Island, R. I., to spend the summer.

A list of all the G. A. R. reunions to be held in Kansas this fall, has been issued by the department commander.

Col. H. C. Rizer, formerly of Topeka, now connected with the United States geological survey, is in the city.

There is a young man in Topeka who puts up his hair every night in curl papers. He has to—or cut it off.

The Shawnee County Horticultural society will meet Wednesday at the home of Scott Kelsey, east of Oakland.

A suit has been filed in the United States circuit court to foreclose a mortgage on the Kansas Pacific railroad.

Losses," for the annual convention of insurance commissioners which is to be held at Thousand Island, N. Y., September 6th.

David Overmyer has been appointed special master in the Black Bob Indian cases, in place of Rankin Mason, who resigned.

A stranger driving into Topeka knows when he is approaching the city. He encounters brick sidewalks two or three miles out.

The girls named Mary can't have it all their own way with Mae and Mamie and Mollie for variety's sake. A girl in town spells her first name Jenny.

A Chicago paper represents Mrs. Lease and Mrs. Diggs as two very much ruffled hens, standing on a fence ready to pick each other's eyes out.

Judge Essminger says if it is true that "Blout wants to day," he will try to accommodate him, if he will call at the police headquarters at 8 o'clock any morning.

The bicycle girls over on the west side are beginning to don the bloomers for street riding. Their modesty prevents them from appearing on the street before nine o'clock.

A sheriff from St. Joe arrested two of Sells' circus employees named Bill Sullivan and Tom Naylor, suspected of the murder of a cyclist near Beatrice, Neb., here Saturday night.

R. J. Brooks, secretary of the Republican congressional committee of the Fifth district who lives at Manhattan, was in Topeka last evening arranging for speakers for the campaign in that district.

Tom King, who was Warren Cowles' assistant here, but is now city clerk of the Rock Island at Atchafalaya, had his picture in the Atchafalaya Globe yesterday. Cliff Holbert's picture was also there.

Disorderly houses have now got as far up as Tenth street and are beginning to push into the fashionable residence quarter. Oh, but a Populist police administration is a nice thing. It's so clean and decent.

Charles Bucher of Newton, has been appointed master in chancery, in the case against the M. & T. railroad, to cancel the patents of the road for land claimed by the railroad between Parsons and Junction City and other land in Johnson county.

The O. R. C. grievance committee delegates, who have been in session here for two weeks, last night presented Colonel J. C. Gordon, of the Copeland, with a handsome gold-headed cane. The inscription engraved on the head reads: "J. C. Gordon, From the General Committee, O. R. C., 1894."

The people residing in the vicinity of Central avenue and Grand streets, North Topeka, are threatening an injunction suit against the new North Topeka Christian church.

The carpenters who are donating their services, worked until almost midnight last night and kept everybody in the neighborhood awake with their pounding.

Prescott & Co. will remove to No. 118 West Eighth this month.

The Daily STATE JOURNAL prints all the news.